

**CRIMINAL CAUSE FOR PLEADING**

**BEFORE:** MAGISTRATE JUDGE AZRACK

**DATE:** 4/10/2013

**USA v. Fabian Mihaj**

11-CR-486 (DLI)

**DEFENDANT'S NAME:** Fabian Mihaj

X present    not present    X custody    bail

**DEFENSE COUNSEL:** James Kousouros

X present    not present    CJA    X RET    PDA

**AUSA:** Steven Lawrence Tiscione

**LAW CLERK:** Robert Terranova

**INTERPRETER:**                      **Language:**                     

**FTR:** Tape # 3:44-4:07

X CASE CALLED

X DEFENDANT: X SWORN X INFORMED OF RIGHTS

   WAIVER OF INDICTMENT EXECUTED FOR DEFENDANT

   INFORMATION FILED

   DEFT. FAILED TO APPEAR, BENCH WARRANT ISSUED

X DEFT. WITHDRAWS NOT GUILTY PLEA AND ENTERS GUILTY PLEA TO  
COUNT 3 OF THE INDICTMENT (Lesser Included Offense)

X COURT FINDS FACTUAL BASIS FOR THE PLEA

X SENTENCING SET FOR: Judge Irizarry will issue an order setting the sentencing date  
and the date for disclosure of the presentence report.

   SENTENCING TO BE SET BY PROBATION

X BAIL:    SET    CONT'D FOR DEFT.    X CONT'D IN CUSTODY

X TRANSCRIPT ORDERED

OTHER: Pursuant to Federal Rule 11 of Criminal Procedure, the Magistrate did administer the allocation. A finding has been made that the plea was made knowingly and voluntarily and the plea was not coerced. The Magistrate recommends the plea of guilty be accepted.